

09/558,031

MS147303.01/MSFTP110US

**REMARKS**

Claims 1-46 are currently pending in the subject application and are presently under consideration. Favorable reconsideration of the subject patent application is respectfully requested in view of the comments herein.

**I. Rejection of Claims 1-46 Under 35 U.S.C. §103(a)**

Claims 1-46 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Narin, *et al.* (U.S. 6,691,176). Reconsideration and allowance of these claims is respectfully requested for at least the following reasons. Narin, *et al.* is not a citable reference with respect to the subject application. The following is a quotation of 35 U.S.C. §103(c), which forms at least one basis for withdrawal of all rejections in this Office Action:

(c) Subject matter developed by another person, which qualifies as prior art only under one or more of subsections (e), (f), and (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

It is respectfully submitted that Narin, *et al.* qualifies as art under 35 U.S.C. §102(e), and the subject matter of Narin, *et al.* and the claimed invention were under an obligation of assignment to Microsoft Corporation at the time the invention was made. Therefore, in accordance with 35 U.S.C. §103(c), Narin, *et al.* is not a citable reference with respect to the subject application. Accordingly, this rejection should be withdrawn.

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CONCLUSION

The present application is believed to be in condition for allowance in view of the above comments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063.

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicants' undersigned representative at the telephone number below.

Respectfully submitted,

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